REMARKS

<u>Amendment</u>

Claims 1-3, 5, 6, 8, 10, 16, 29-32, 41 and 51-72 have been canceled without prejudice. Claims 4, 7, 9, 11-13, 17-19, 21, 23, 27, 28, 33, 34, 36-39, 42, 43, 45, 47, 49 and 50 have been amended without prejudice. Claims 73-93 have been added without prejudice.

Oath/Declaration

In the Office Action, the oath or declaration was found to be defective because non-initialed and/or non-dated alterations were made to the oath or declaration. In response, a corrected declaration has been filed with this amendment.

Claim Objections

In the Office Action, claims 9, 11, 17, 33 and 42 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner is respectfully thanked for the indication of allowable subject matter in this case and, in response, claims 9, 11, 17, 33 and 42 have been amended without prejudice to be in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections Under 35 U.S.C. §102

In the Office Action, claims 29-32, 34, 35, 37, 38, 41, 43, 44, 49 and 50 were rejected under 35 U.S.C. §102(b) as being anticipated by Knoepfler (5,209,747). In response, claims 29-32 and 41 have been canceled without prejudice, thereby rendering their rejection moot. Claims 34, 35, 37 and 38 have been amended without prejudice and now depend from allowable independent claim 33. Claims 43, 44, 49 and 50 have been amended without prejudice and now depend from allowable independent claim 42.

Claim Rejections Under 35 U.S.C. §103

In the Office Action, claims 1-8, 10, 12-14, 16, 27, 28 and 62-67 were rejected under 35 U.S.C. §103(a) as being unpatentable over Morley et al. (6,685,698) in view of the teaching of Knoepfler (5,209,747). In response, claims 1-3, 5, 6, 8, 10, 16 and 62-67 have been canceled without prejudice, thereby rendering their rejection moot. Claim 4 has been amended without prejudice and now depends from allowable independent claim 9. Claims 7 and 12-14 have been amended without prejudice and now depend from allowable independent claim 11. Claims 27 and 28 have been amended without prejudice and now depend from allowable independent claim 17.

In the Office Action, claims 1-8, 10, 12-14, 16, 18-21, 27, 28, 62-68, 70 and 71 were rejected under 35 U.S.C. §103(a) as being unpatentable over Knoepfler (5,209,747) in view of the teaching of Morley et al. (6,685,698). In response, claims 1-3, 5, 6, 8, 10, 16, 62-68, 70 and 71 have been canceled without prejudice, thereby rendering their rejection moot. Claim 4 has been amended without prejudice and now depends from allowable independent claim 9. Claims 7 and 12-14 have been amended without prejudice and now depend from allowable independent claim 11. Claims 18-21, 27 and 28 have been amended without prejudice and now dependent claim 17.

In the Office Action, claims 14, 15 and 72 were rejected under 35 U.S.C. §103(a) as being unpatentable over Knoepfler (5,209,747) and Morley et al. (6,685,698), and further in view of the teaching of Mulier et al. (6,440,130). In response, claim 72 has been canceled without prejudice, thereby rendering its rejection moot. Claims 14 and 15 have been amended without prejudice and now depend from allowable independent claim 11.

In the Office Action, claims 21-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Knoepfler (5,209,747) and Morley et al. (6,685,698), and further in view of the teaching of Riza (5,480,409). In response, claims 21-24 have been amended without prejudice and now depend from allowable independent claim 17.

In the Office Action, claims 25, 26 and 69 were rejected under 35 U.S.C. §103(a) as being unpatentable over Knoepfler (5,209,747) and Morley et al. (6,685,698), and further in view of the teaching of Bauer (4,128,099). In response, claim 69 has been canceled without prejudice, thereby rendering its rejection moot. Claims 25 and 26 have been amended without prejudice and now depend from allowable independent claim 17.

In the Office Action, claims 36 and 44-46 were rejected under 35 U.S.C. §103(a) as being unpatentable over Knoepfler (5,209,747) in view of the teaching of Riza (5,480,409). In response, claim 36 has been amended without prejudice and now depends from allowable independent claim 33. Claims 44-46 have been amended without prejudice and now depend from allowable independent claim 42.

In the Office Action, claims 39 and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Knoepfler (5,209,747) in view of the teaching of Mulier et al. (6,440,130). In response, claims 39 and 40 have been amended without prejudice and now depend from allowable independent claim 33.

In the Office Action, claims 47 and 48 were rejected under 35 U.S.C. §103(a) as being unpatentable over Knoepfler (5,209,747) in view of the teaching of Bauer (4,128,099). In response, claims 47 and 48 have been amended without prejudice and now depend from allowable independent claim 42.

Support for this amendment is clearly found in the application as originally filed. No new matter is presented.

After amending, canceling and adding claims as set forth above, claims 4, 7, 9, 11-15, 17-28, 33-40, 42-50, 72-92 remain pending in the application and are believed to be in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

A petition for a three (3) month extension of time under 37 C.F.R. § 1.136(a) has been filed with this response. Please charge to Deposit Account No. 13-2546 the fee of \$1,020.00 which is required for the three-month extension of time.

A supplemental information disclosure statement has been filed with this response. Please charge to Deposit Account No. 13-2546 the fee of \$180.00 which is required for the information disclosure statement.

If the Examiner comes to believe that a telephone conversation may be useful in addressing any remaining open issues in this case, the Examiner is urged to contact the undersigned agent at 763-391-9867.

Please charge any required fees or credit any overpayment to Deposit Account No. 13-2546.

Respectfully submitted,

Date January 17, 2006

James R. Keogh, Reg. No. 44,824

MEDTRONIC, INC. 710 Medtronic Parkway Minneapolis, MN 55432

Tel. 763.391.9867 Fax. 763.391.9668 Customer No.: 27581